

## **REMARKS**

Claims 1, 7 and 11-20 remain pending in this application. Claims 1 and 18 have been amended in this response and claim 10 has been cancelled. Applicant wishes to thank the Examiner, Mr. Evens Augustin, for the courtesies extended to Applicant's attorney, Mr. Garrett Donley, during the telephone conference of September 1, 2009 involving discussion of the cited Resnick reference. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

## **REJECTION UNDER 35 U.S.C. § 112, 2ND PARAGRAPH**

Claim 18 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner states that Claim 18 contains the limitation of an account seller. The Examiner further states that Claim 11 states that "the account is selected from the group of retail stores and banks" and that it is not clear whether applicant is claiming a retail store or bank.

This objection is not understood. Claim 11 is a dependent claim that provides possible selections for the identity of the account seller from claim 1, namely, retail stores and banks. The language of claim 11 reads "the account seller is selected from the group consisting of retail stores and banks." The scope of claim 18 is the same as that of claim 1 with regard to the "account seller" language used. Therefore, clarification of this objection is kindly requested.

**REJECTION UNDER 35 U.S.C. § 112, 1ST PARAGRAPH**

Claims 1, 7 and 10-20 stand rejected under 35 U.S.C. § 112, first paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner states that the language “the central computer server transferring an amount of electronic currency corresponding to the amount that the account seller received from the customer from a bank account of the account seller to one or more central bank accounts having one or more account numbers” has not been located in the original specification. The Examiner’s attention is directed to the original specification at page 7, lines 6-18 for this disclosure. Applicant has also amended claims 1 and 18 to clarify the invention in this regard.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 7 and 10-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Creswell et al. (U.S. Patent No. 6,823,318) in view of Resnick (U.S. Pat. Appl. Publ. No. US2002/0002545). Applicant’s previous comments relative to the Creswell reference are believed to also apply to this rejection. In addition, as discussed during the telephone conference of September 1, 2009, Applicant respectfully submits that the Resnick reference is not a properly cited reference. The present application claims priority to two U.S. provisional patent applications dated May 14, 1999 and October 15, 1999, and has a PCT filing date (claiming the U.S.) of May 12, 2000. As discussed previously in connection with the cited Shub and O’Leary references (see Applicant’s amendment filed November 9, 2006 at pages 9-10), the contents of the

subject matter as now claimed, are fully disclosed in Applicant's two provisional applications, with the subject matter of relating the customer's age to the serial number(s), computer-readable form for the serial number(s) and the use of credit as a form of payment being added in Applicant's second provisional application at pages 3-4.

The cited Resnick reference, on the other hand, was filed on June 20, 2001 and claims priority to a U.S. provisional application dated June 29, 2000. Because the subject matter of the cited Resnick reference was dated too late relative to that of the present application, it is submitted that the Resnick application is not a properly cited reference. Accordingly, reconsideration and withdrawal of this reference are respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Creswell et al. (U.S. Patent No. 6,823,318) in view of DiMaria (U.S. Pat. No. 6,148,091). Applicant has cancelled claim 10 in order to expedite prosecution.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly addressed. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this response is respectfully requested. Should the Examiner have any questions about this submission,

or wish to discuss the application, the present Amendment or the cited references further, the Examiner is invited to telephone the undersigned attorney directly at (248) 641-1239.

Respectfully submitted,

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